

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

IVAN J. PARKER,

Defendant.

8:13CR77

8:09CR399

ORDER

Defendant Ivan J. Parker (Parker) appeared before the court on February 23, 2015, on the Petitions for Warrant or Summons for Offender Under Supervision (Petitions) in 8:13CR77 and 8:09CR399. Parker was represented by Assistant Federal Public Defender Karen M. Shanahan and the United States was represented by Assistant U.S. Attorney Michael P. Norris. Through his counsel, Parker waived his right to a probable cause hearing on the Petitions pursuant to Fed. R. Crim. P. 32.1(a)(1) in both cases. I find that the Petitions allege probable cause and Parker should be held to answer for a final dispositional hearing before Senior Judge Lyle E. Strom.

The government moved for detention. Parker presented no evidence nor requested a detention hearing. Since it is Parker's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Parker has failed to carry his burden and that Parker should be detained pending a dispositional hearing before Senior Judge Strom.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Lyle E. Strom in Courtroom No. 5, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 11:30 a.m. on April 2, 2014**. Defendant must be present in person.

2. Defendant Ivan J. Parker is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 23rd day of February, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge